

STATE OF MICHIGAN  
IN THE EASTERN DISTRICT COURT  
FOR THE COUNTY OF WAYNE COUNTY

PEOPLE OF THE  
STATE OF MICHIGAN,  
Plaintiff,

vs

DENNIS MILLER,  
Defendant,

Case:2:25-cv-11704  
Judge: McMillion, Brandy R.  
MJ: Grand, David R.  
Filed: 06-09-2025 At 12:53 PM  
HC DENNIS MILLER V MICHIGAN STATE O  
F, ET AL (LG)

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MOTION FOR RELIEF FROM JUDGMENT

F I L E D  
JUN 09 2025  
CLERK'S OFFICE  
DETROIT

The Defendant, Dennis Miller, In Pro Se, moves this Court to set aside or modify the judgment in this case pursuant to Michigan Court Rule 6.500 and the following:

1. Defendant's Dennis Miller was convicted of MCL 750.529 Robbery - Armed following a jury trial in criminal case number 16-010098-02-FC. The trial was in The Third Circuit Court For The County of Wayne County, The Honorable Craig S. Strong, presiding.
2. Defendant Dennis Miller was sentenced on 2-27-2017, to served 120 months sentence. Defendant Dennis Miller, is presently serving that sentence at the Cooper Correctional Facility, in The State of Michigan.
3. A timely notice of appeal was filed, On 2-22-2017 and The Michigan Court of Appeals affirmed Defendant Dennis Miller conviction on 2-22-2017. Defendant's Dennis Miller, was represented by Delphis J. Burton P47688 was appointed.
4. At this time, Defendant Dennis Miller moves this Court to set aside or modify the judgment, and to grant a new trial in the case.

5. None of the bars against relief from judgment are present.

a. Defendant Dennis Miller can no longer proceed directly by appeal by leave since more than 12 months have elapsed from judgment. MCR 6.508(D)(1). The judgment may only be reviewed in accordance with MCR 6.500 at seq. MCR 6.502(G)(2) Authorizes a motion for relief from judgment.

b. Defendant Dennis Miller has not previously raised these claims in post conviction proceedings, and the grounds for relief have never been decided against him on the merits. MCR 6.508(D)(2).

c. These issues could have been raised on appeal, MCR 6.508(D)(3), but Defendant Dennis Miller submits that he is entitled to relief because he had good cause for failure to "properly" raise these issues on appeal, MCR 6.508(D)(3)(a); Namely, ineffective assistance of appellate counsel Adriana N. Young, See e.g., People v Reed, 449 Mich 375 (1995); People v Hardaway, 459 Mich 878 (1998); People v Kimble, 470 Mich 305 (2004).

6. This motion is based upon numerous violations of Defendant Dennis Miller Constitutional Rights Under The Fifth, Sixth & Fourteen Amendments, of The United States Constitution. Specifically Defendant, Dennis Miller Rights Were Impermissibly Infringed Where The Prosecution;

STATE GROUNDS FOR RELIEF, SUCH AS:

- a. Failed to properly disclosed, and then destroyed, exculpatory physical evidence (See Section - I, Accompanying Memorandum);
  - b. Failed to properly disclosed exculpatory evidence regarding prior arrests
  - c. Engaged In Prosecutorial Misconduct By Suggesting That The Jurors Conduct Their Own Investigation.
7. Moreover, Defendant Dennis Miller, rights were impermissibly infringed where:
- a. Court - Appointed trial Counsel, Delphis Burton P47688 Provided ineffective assistance by failing to request a jury instruction which corresponded to the evidence by the defense counsel.

testimony contradicts indisputable physical facts or laws." or the testimony is "patently incredible or defies physical realities," or the testimony of Mr. Earl Finley would have clear the way for my release, from the Wayne County Jail. However, Mr. Earl Finley didn't testify, because he took a plea deal for the arm robbery. "So implausible that it could not be believed by a reasonable juror," an innocent person had been found guilty." a new trial should be granted. People v Lemmon, 456 Mich 625, 627 (1998).

4. Allege the reasons why the verdict is against the great weight of the evidence and has resulted in a miscarriage of justice. Be specific, and support your factual assertions with caselaw which the court can consider for a new trial.

5. For these reasons and those set forth in the accompanying with my affidavit, and Asked that this Court grant his Motion for a New Trial Because The Guilty Verdict Is Against The Great Weight of The Evidence.

cc/file: d.m.  
dated: June 1 2025

Respectfully Submitted,

  
Mr. Dennis Miller #226726

AFFIRMATION

PROOF OF SERVICE

I, DENNIS MILLER, Affirm under penalty of perjury, that the above facts are true and correct, to the best of my knowledge, information and belief.

Respectfully Submitted,

  
Mr. Dennis Miller #226726

STATE OF MICHIGAN  
IN THE EASTERN DISTRICT COURT  
SOUTHERN DIVISION

THE PEOPLE OF THE STATE OF MICHIGAN  
Plaintiff,

vs

Case No.  
HONORABLE JUDGE

DENNIS MILLER,  
Defendant,

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MEMORANDUM SEC. I MR. EARL FINLEY

COMES NOW, DEFENDANT DENNIS MILLER, Makes this memorandum statement about his trial, The person who committed the arm robbery, Mr. Earl Finley was in the bullpen, The second day of my trial. However, they told Mr. Earl Finley, if he testify against me they'll take back his plea deal for arm robbery.

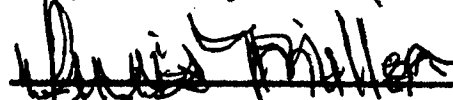
AFFIRMATION

I, DENNIS MILLER, AFFIRM UNDER PENALTY OF PERJURY, THAT THE ABOVE FACTS ARE TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

cc/file: d.m.

dated: May 29, 2025

Respectfully Submitted,

  
Mr. Dennis Miller#226726  
Cooper Correctional Facility  
3100 Cooper Street  
Jackson, Michigan 49201

STATE OF MICHIGAN  
IN THE EASTERN DISTRICT COURT  
SOUTHERN DIVISION

THE PEOPLE OF THE STATE OF MICHIGAN  
Plaintiff,

vs

Case No.  
HONORABLE JUDGE

DENNIS MILLER,  
Defendant,

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MEMORANDUM SEC. II TEMPER WITH A WITNESS

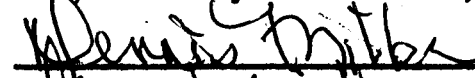
COMES NOW, DEFENDANT DENNIS MILLER, Makes this memorandum statement about his trial, My Appointed Counsel Ms. Delipha Burton was working with the Prosecution Attorney and The Honorable Judge C. Strong, and the Detroit Police Officer Detective Lavan Adams, To Place A Crime I didn't commit. For arm robbery MCL 750. 529

AFFIRMATION

I, DENNIS MILLER, AFFIRM UNDER PENALTY OF PERJURY, THAT THE ABOVE FACTS ARE TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

cc/file: d.m.  
dated: May 29, 2025

Respectfully Submitted,

  
Mr. Dennis Miller #226726  
Cooper Correctional Facility  
3100 Cooper Street  
Jackson, Michigan 49201

Dennis Miller #22676  
Cooper Correctional Facility  
3100 Cooper street  
Jackson, Michigan 49201

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